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1743
Docket No.: H6810.0021/P021
(PATENT)

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Akira Sekine et al.

Application No.: 09/858,477

Confirmation No.: 2982

Filed: May 17, 2001

Art Unit: 1743

For: METHOD AND SYSTEM FOR
COMPREHENSIVE MANAGEMENT OF
CHEMICAL MATERIALS

Examiner: Y. G. Gakh

INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

On October 27, 2006, Applicants' representative contacted the Examiner regarding the form "Notice of Not Fully Responsive Reply for Applications Under Accelerated Examination," mailed October 16, 2006, having a nonextendable response due date of November 16, 2006. The Examiner agreed with Applicants' representative that the form was incorrect, since the application is not under accelerated examination. Further, the Examiner consented to mail a new form to address the application having a restriction, and having a new (later) due date, and the present form Office Action has been withdrawn. The new mailing was approved by the Examiner's supervisor.

On November 9, 2006, Applicants' representative called the Examiner again, as the new mailing had not appeared in PAIR as having been sent, nor was it received.

The Examiner stated that she had attempted to send the form, but agreed that it appeared that it was not actually mailed.

It is respectfully submitted that the delay caused by the PTO's failure to mail the Examiner's form should not be held against Applicants, and that the application should not be held abandoned if Applicants do not file a response by the original November 16, 2006 due date while awaiting the Examiner's new form to be mailed. Furthermore, Applicants respectfully submit that the delay should be taken into consideration in calculating any Patent Term Extension, if applicable.

Dated: November 9, 2006

Respectfully submitted,

By 

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